

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

UNITED STATES OF AMERICA)

VS.)

20 MJ 064 LDA

LUIS JOEL SIERRA)

MOTION TO DETERMINE MENTAL COMPETENCY

Now comes Counsel for Luis Joel Sierra, the Defendant in the above captioned matter, and moves this Honorable Court to schedule and conduct a hearing to determine Mr. Sierra's mental competency to stand trial pursuant to 18 U.S.C. § 4241(a). The Court must grant this motion "if there is reasonable cause to believe that the defendant may presently be suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense." *Id.* As grounds thereto, Counsel submits the attached memorandum and evaluation under seal which conclude that Mr. Sierra has a mental disease/defect(s) which make him mentally incompetent to the extent that he cannot understand the nature and consequences of the proceedings against him or to assist in his defense.

Respectfully submitted
Luis Joel Sierra
By his attorney,

/s/ Kevin J. Fitzgerald, 5775
Assistant Federal Defender

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CERTIFICATION

I hereby certify that a copy of this motion was delivered by electronic notification to Paul Daly, Assistant United States Attorney, on February 5, 2021.

/s/ Kevin J. Fitzgerald